

**City of Westwood, Kansas  
City Council Meeting  
August 8, 2024 – 7:00 p.m.**

Council Present: David E. Waters, Mayor  
Andrew Buckman, Councilmember  
Jeff Harris, Council President  
Jason Hannaman, Councilmember  
Laura Steele, Councilmember  
Holly Wimer, Councilmember

Council Absent: None

Staff Present: Leslie Herring, City Administrator  
Curtis Mansell, Police Chief  
Seth Jurcyk, City Attorney  
Abby Schneweis, City Clerk  
Kevin Wempe, City Bond Counsel

**Call to Order**

Mayor Waters called the meeting to order at 7:00 p.m. on August 8, 2024. Ms. Schneweis called the roll. A quorum was present. The evening's meeting was held in a hybrid manner, with attendees joining both in person and via Zoom.

**Approval of Agenda**

Motion by Councilmember Harris to approve the August 8, 2024 City Council meeting agenda as submitted. Second by Councilmember Buckman. Motion carried by a 5-0 voice vote.

**Public Comment**

Chris Burns, 2513 W 49<sup>th</sup> Terrace, said he appreciates the work that the Shawnee Mission School District has done on for its fence variance request that will be considered in agenda item X.D., and he supports the variance request.

**Presentations and Proclamations**

**A. Award Westwood Foundation Scholarship to Rocco Marrello**

Justin Bridges, Chair of the Westwood Foundation, presented Mr. Rocco Marrello with the Westwood Foundation Merit Scholarship. Mr. Marrello is a graduate of Bishop Miege, and will attend Rockhurst University in the fall.

**B. Johnson County Homeless Services Center (Mike Kelly, County Commission Chair; Stephanie Boyer, reStart)**

Johnson County Chairman Mike Kelly and reStart Chief Executive Officer provided a presentation on a proposed homeless services Center in Lenexa. The project team is seeking funding from all Johnson County cities on a per capita basis in addition to the funding provided by Johnson County. No action was taken by the Governing Body.

**C. Update from Consolidated Fire District No. 2 (Steve Chick, Fire Chief CFD2)**

Steve Chick, Consolidated Fire District No. 2 Fire Chief, provided an overview of CFD2's operations over the past quarter.

**D. Update from Climate Action KC (Emily Randel)**

Emily Randel provided an update on Climate Action KC's current operations and goals.

**E. Receive results of 2024 community survey (Jason Morado, ETC Institute; Kate Bender, PorchLight Insights)**

Jason Morado, ETC Institute, and Kate Bender, PorchLight Insights, provided an overview of the presentation included in the agenda packet of the findings from the community survey that was conducted earlier in the year.

**Consent Agenda**

All items listed below are considered to be routine by the Governing Body and will be enacted in one motion. There will be no separate discussion of these items unless a member of the Governing Body so requests, in which event the item will be removed from the consent agenda and considered separately following approval of the consent agenda.

- A. Consider July 11, 2024, City Council Meeting Minutes
- B. Consider Appropriations Ordinance 765

Motion by Councilmember Hannaman to approve the Consent Agenda as submitted. Second by Councilmember Harris. Ms. Schneweis conducted a roll call vote. Motion carried by a 5-0 vote.

**Mayor's Report**

Mayor Waters noted school begins next week and encouraged the community to be aware of students walking and biking to school.

**Councilmember Reports**

Councilmember Harris said he attended the August Planning Commission meeting to hear a presentation by Commissioners on the tree canopy in Westwood.

**Staff Reports****Administrative Report**

Ms. Herring provided an overview of the August 2024 Administrative Report included in the agenda packet and offered to answer questions.

**Public Works Report**

The July and August 2024 Public Works Report was included in the agenda packet, no questions or comments were made about the report.

**Public Safety Report**

Chief Mansell provided an overview of the July 2024 Public Safety Report included in the agenda packet and offered to answer questions.

### **Treasurer's Report**

The July 2024 Treasurer's Report was included in the agenda packet, no questions or comments were made about the report.

### **City Attorney's Report**

Mr. Jurcyk did not have any items to report.

### **Old Business**

No Old Business items were considered.

### **New Business**

#### **Consider Ordinance No. 1043 issuing Industrial Revenue Bonds to finance improvements at Woodside**

In July 2022, Woodside Health Club requested the City issue Industrial Revenue Bonds (IRB) in an amount not to exceed \$9,500,000 (maximum total value of construction materials and equipment which Woodside may purchase as a result of the project). That request was granted by the adoption of Resolution No. 107-2022 and allowed Woodside a sales tax exemption on construction materials and equipment relating to Woodside's then-proposed and now completed improvements to the South Club facilities.

The total initial project budget was between \$10-11M, with actual costs being higher than budgeted. As such, the actual issuance of bonds by way of Ordinance 1043 amends the not to exceed value of \$9.5M to \$11M.

As stated during the July 2022 adoption of the Resolution of Intent (Res. No. 107-2022), approving the use of IRBs for sales tax exemption is a two-step City process: (1) adoption of a resolution of intent (July 2022), and (2) passage of an ordinance issuing the bonds (August 2024).

As construction has already taken place and has now been completed, passing this Ordinance allows for the legal closing of the loop in the use of the sales tax exemption for construction materials and equipment. Although the bond sale will legally and technically occur, this process does not result in Woodside receiving hard dollars for its improvements, again already financed and completed by other means. Issuance of bonds through the adoption of Ordinance 1043 is a necessary step to allow the bonds to close (at the Company's cost) and completion of the IRB process to provide the sales tax exemption.

Blair Tanner of Tanner Consolidated Holdings, Inc. and Woodside committed to one-half of the sales tax savings being used for public benefit. As such, 50% of the sales tax savings will be wired to the City of Westwood upon bond sale closing on August 22, 2024. A final accounting has not yet been provided to the City.

Mr. Wempe provided an overview of the industrial revenue bond process and offered to answer any questions.

Motion by Councilmember Hannaman to approve Ordinance 1043 issuing Industrial Revenue Bonds to finance improvements at Woodside. Second by Councilmember Steele. Ms. Schneweis Performed a roll call vote. Motion passed with a 5-0 vote.

**Consider Ordinance No. 1044 adopting the 2024 Edition of the Uniform Public Offense Code for Kansas Cities**

The Uniform Public Offense Code is a document developed each year by the League of Kansas Municipalities. This organization has published the UPOC since 1980. The Code is designed to provide a comprehensive public offense ordinance for Kansas cities. The UPOC, in large part parallels the state criminal code. This ordinance allows the City of Westwood to utilize the Uniform Public Offense Code as the basis for criminal investigation and enforcement actions.

The Kansas League of Municipalities has published the 2024 Edition of the Uniform Public Offense Code. City staff recommends the City of Westwood update to from the 2023 Edition. The UPOC does not take effect in a city until the Governing Body passes and publishes an incorporating ordinance.

Motion by Councilmember Wimer the City Council adopt Ordinance 1044 incorporating by reference the Standard Traffic Ordinance for Kansas Cities, 2024 edition and repeal Ordinance 1035. Second by Councilmember Buckman. Ms. Schneweis performed a roll call vote. Motion passed with a 5-0 vote.

**Consider Ordinance No. 1045 adopting the 2024 Edition of the Standard Traffic Ordinance for Kansas Cities**

The Standard Traffic Ordinance (STO) is a document published by the League of Kansas Municipalities since 1960. The Standard Traffic Ordinance (STO) is an efficient, economical way to regulate traffic in Kansas cities. This ordinance allows the City of Westwood to utilize the state's Standard Traffic Ordinance as the basis for traffic safety and enforcement actions.

The Kansas League of Municipalities has published the 2024 Edition of the Standard Traffic Ordinance. City staff recommends the City of Westwood update to from the 2023 Edition. The UPOC does not take effect in a city until the Governing Body passes and publishes an incorporating ordinance.

Motion by Councilmember Harris to adopt Ordinance 1045 incorporating by reference the Standard Traffic Ordinance for Kansas Cities, 2024 edition and repeal Ordinance 1036. Second by Councilmember Steele. Ms. Schneweis performed a roll call vote. Motion passed with a 5-0 vote.

**Consider fence variance for 4935 Belinder Ave (USD 512, Westwood View Elementary School)**

On July 10, 2024, City staff received an application for a fence variance for 4935 Belinder Avenue. Tyler Clubb, Director of Facilities for the Shawnee Mission School District, has applied for a building permit to modify a length of 44' of the existing 6' black chain link fence to add an additional 6' of height, resulting in a 12' black chain link fence running along the north side of the soccer field separating the school from the residences on 49th Terrace.

This application requires a variance for Westwood Zoning Ordinance 4.3.9.B.1. limiting fences to 6' in height. Westwood Zoning Ordinance 4.3.9.A.2 requiring fences over 4' in height to be constructed from wood.

The City Council may approve fence variances pursuant to Westwood Zoning Ord. Section 4.3.9.F,

The applicant desires to modify the existing fence, which is already 6' tall, by extending the height of the fence to 12' for a 44' long section. A strict application of this Zoning Ordinance provision would require that the fence not exceed the 6' in height that it is currently.

Pursuant to previous City Council direction on fence variances, City staff evaluated the following factors:

- a. Neighbor acknowledgement/consent – Applicant has heard complaints from neighbor to the north of the soccer field. Other neighbors with sightlines of the soccer field and fence replacement were notified by letter from the City of this application.
- b. ROW impediment – No;
- c. Established tree impact/removal –No; and
- d. Resulting sight lines issues - No.

Motion by Councilmember Hannaman to approve the requested fence variance at 4935 Belinder Avenue to allow a 12' high fence along a 44' section on the north side of the soccer field on the property as described in the application. Second by Councilmember Harris. Ms. Schneweis performed a roll call vote. Motion passed with a 5-0 vote.

#### **Announcements/Governing Body Comments**

Councilmember Steele noted that Bike Walk KC installed traffic counters at 47<sup>th</sup> & Mission Road and 51<sup>st</sup> Terr & Mission Road for a brief period to collect pedestrian, bicycle and vehicle movements for planned improvements to the corridor. Councilmember Steel shared that this service was performed at no cost to the City.

#### **Executive Session**

No executive session was held.

#### **Adjournment**

Motion by Councilmember Steele to adjourn the meeting. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote. The meeting was adjourned at 9:29 p.m.

APPROVED: \_\_\_\_\_  
David E. Waters, Mayor

ATTEST: \_\_\_\_\_  
Abby Schneweis, City Clerk